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Attorneys for Plaintiffs,  
UMG RECORDINGS, INC.; SONY BMG  
MUSIC ENTERTAINMENT; VIRGIN  
RECORDS AMERICA, INC.; ATLANTIC  
RECORDING CORPORATION;  
INTERSCOPE RECORDS; ELEKTRA  
ENTERTAINMENT GROUP INC.; and  
WARNER BROS. RECORDS INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UMG RECORDINGS, INC., a Delaware  
corporation; SONY BMG MUSIC  
ENTERTAINMENT, a Delaware general  
partnership; VIRGIN RECORDS AMERICA,  
INC., a California corporation; ATLANTIC  
RECORDING CORPORATION, a Delaware  
corporation; INTERSCOPE RECORDS, a  
California general partnership; ELEKTRA  
ENTERTAINMENT GROUP INC., a Delaware  
corporation; and WARNER BROS. RECORDS  
INC., a Delaware corporation,  
Plaintiffs,

v.

JOHN DOE,  
Defendant.

CASE NO. C 07-3091VRW

**EX PARTE APPLICATION FOR LEAVE  
TO TAKE IMMEDIATE DISCOVERY**

1 Plaintiffs, through their undersigned counsel, pursuant to Federal Rules of Civil Procedure 26  
2 and 45, the Declaration of Carlos Linares, and the authorities cited in the supporting Memorandum  
3 of Law, hereby apply *ex parte* for an Order permitting Plaintiffs to take immediate discovery.

4 In support thereof, Plaintiffs represent as follows:

5 1. Plaintiffs, record companies who own the copyrights in the most popular sound  
6 recordings in the United States, seek leave of the Court to serve limited, immediate discovery on a  
7 third party Internet Service Provider ("ISP") to determine the true identities of Doe Defendants, who  
8 are being sued for direct copyright infringement.

9 2. As alleged in the complaint, the Defendant John Doe, without authorization, used an  
10 online media distribution system to download Plaintiffs' copyrighted works and/or distribute  
11 copyrighted works to the public. Although Plaintiffs do not know the true names of Defendants  
12 John Doe, Plaintiffs have identified Defendant by a unique Internet Protocol ("IP") address assigned  
13 to Defendant on the date and time of Defendant's infringing activity.

14 3. Plaintiffs intend to serve a Rule 45 subpoena on the ISP seeking documents that  
15 identify Defendant's true name, current (and permanent) address and telephone number, e-mail  
16 address, and Media Access Control ("MAC") address. Without this information, Plaintiffs cannot  
17 identify the Doe Defendants or pursue their lawsuit to protect their copyrighted works from repeated  
18 infringement.

19 4. Good cause exists to allow Plaintiffs to conduct this limited discovery in advance of a  
20 Rule 26(f) conference where there are no known defendants with whom to confer.

21 WHEREFORE, Plaintiffs apply *ex parte* for an Order permitting Plaintiffs to conduct the  
22 foregoing requested discovery immediately.

23  
24 Dated: June 13, 2007

HOLME ROBERTS & OWEN LLP

25  
26 By: 

27 MATTHEW FRANKLIN JAKSA  
28 Attorney for Plaintiffs